



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/035,155	01/04/2002	Joe Lin	SUND 269	1765

7590 07/01/2003

RABIN & CHAMPAGNE, P.C.
Suite 500
1101 14th Street, N.W.
Washington, DC 20005

EXAMINER

KIM, PETER B

ART UNIT	PAPER NUMBER
----------	--------------

2851

DATE MAILED: 07/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/035,155

Applicant(s)

LIN, JOE

Examiner

Peter B. Kim

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Taiwan on Jan. 5, 2001. It is noted, however, that applicant has not filed a certified copy of the Taiwanese application as required by 35 U.S.C. 119(b).

Drawings

Figures 1 and 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities: page 8, line 8 of the written description refers to reference 202 of Fig. 7; however, 202 is not shown in Fig. 7.

Appropriate correction is required.

Claim Objections

Claims 3 and 4 are objected to because of the following informalities: claim 3 refers to fourth – sixth scales without mentioning first, second or third scales. Claim 4 refers to seventh and eighth without mentioning first – sixth scales. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 5 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Oku (6,151,104).

Oku discloses in Fig. 15-17, a film fixing instrument (3) capable for fixing films with different scales comprising a loader (11) for loading films, comprising a loader window (21), an adjuster (20) for adjusting the loader window, the adjuster comprising a plurality of fixers (recess in Fig. 17) coupled with plurality of couplers (22, protrusions) and wherein the films with different scales are fixed by adjusting the coupling method between the adjuster and the loader (col. 12, lines 18-37, col. 7, lines 7-15). Oku further comprises a film clip (17, 12) for securing the film on the film fixing instrument.

Claims 1, 6 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Hasegawa et al. (Hasegawa) (5,515,138).

Hasegawa discloses in Fig. 6, a film fixing instrument (Fig. 6) capable for fixing films with different scales comprising a loader (120) for loading films, comprising a loader window (121), an adjuster (122) for adjusting the loader window, the adjuster comprising a plurality of fixers (120A, protrusion) coupled with plurality of couplers (126A, protrusion) and wherein the films with different scales are fixed by adjusting the coupling method between the adjuster and the loader (col. 12, lines 53-63). Hasegawa further comprises a film clip (112) for securing the film on the film fixing instrument.

Claims 1, 2, 3, 4, 5 and 7 rejected under 35 U.S.C. 102(b) as being anticipated by Sakamoto et al. (Sakamoto) (4,786,944).

Sakamoto discloses in Fig. 3 and 4, a film fixing instrument (Fig. 3) capable for fixing films with different scales comprising a loader (66) for loading films, comprising a loader window (66a), an adjuster (49, 80, 78, 77) for adjusting the loader window, the adjuster comprising a plurality of fixers (recess, 75) coupled with plurality of couplers (protrusion, 76) and wherein the films with different scales are fixed by adjusting the coupling method between the adjuster and the loader (col. 7, line 43 – col. 8, line 4). Sakamoto further comprises a film clip (65) for securing the film on the film fixing instrument. Sakamoto discloses adjuster which are approximately a square and the location of the fixers is not located in a middle of one edge of the square so that the distance to the fixers from the edges of the square are different. Sakamoto also discloses the adjuster in a shape of “L” (79, 80) and by adjusting the adjuster the invention of Sakamoto fixes film of various scales.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Kim whose telephone number is (703) 305-0105. The examiner can normally be reached on Monday-Thursday from 6:30 AM to 4:00 PM. The examiner can also be reached on alternate Fridays during the same hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russ Adams can be reached on 703 308 2847. The fax phone numbers for the organization where this application or proceeding is assigned are 703 872 9318 for regular communications and 703 872 9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 306 3431.

Application/Control Number: 10/035,155
Art Unit: 2851

Page 5

A handwritten signature in black ink, appearing to read 'Peter B. Kim', with a long horizontal flourish extending to the right.

Peter B. Kim
Patent Examiner
June 28, 2003